

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

KENDRICK MORRIS

PETITIONER

V.

CIVIL ACTION NO. 3:23-CV-123-DPJ-FKB

DONALD JACKSON

RESPONDENT

ORDER

This petition for habeas corpus relief is before the Court on the Report and Recommendation [9] of United States Magistrate Judge F. Keith Ball. Kendrick Morris pleaded guilty in the Circuit Court of Hinds County, Mississippi, to three counts: second-degree murder, aggravated assault, and being a felon in possession of a firearm. Pet. [1] at 2. By orders entered November 26, 2018, he was sentenced to terms of confinement amounting to 20 years. *Id.* Morris now petitions for a writ of habeas corpus under 28 U.S.C. § 2254, alleging that his guilty pleas were involuntary. *Id.* at 6.

Respondent moved [6] to dismiss the petition as untimely; Morris did not respond. Judge Ball then recommended dismissal, and Morris filed no objection. His time to do so has passed. *See* Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

Morris's deadline to seek habeas relief ran out in 2020, but he filed no petition until 2023. R&R [9] at 2. The Court finds no clear error on the face of the record as to the R&R's finding that Morris's petition is untimely. Thus, the unopposed Report and Recommendation [9] is hereby adopted as the Court's opinion. This action is dismissed. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 9th day of November, 2023.

s/ Daniel P. Jordan III

CHIEF UNITED STATES DISTRICT JUDGE